UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

AHMED AL-HAYDAR,)	
Plaintiff,)	
VS.)	Case No. 4:11CV01952 AGF
MARGIE BONZ, et al.,)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff's motion for appointment of counsel in this action pursuant to 42 U.S.C. §§ 1981, 1983, and 1985. Pursuant to this Court's Order dated December 28, 2011, some of Plaintiff's claims against one Defendant, Gary Gamble, remain viable.

There is no constitutional right for a pro se plaintiff to have counsel appointed in a civil case. <u>Davis v. Scott</u>, 94 F.2d 444, 447 (8th Cir. 1996). The Court has discretion to appoint an attorney to handle such a case when necessary. Among the factors a court should consider in making this determination are the legal and factual complexity of the case, the ability of the plaintiff to investigate the facts and present his claim, and to what degree the plaintiff and the court would benefit from such an appointment. *Id.*; *Edgington v. Mo. Dep't of Corr.*, 52 F.3d 777, 780 (8th Cir. 1995).

Upon review of the file, the Court finds that appointment of counsel is unnecessary at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel

is **DENIED**. (Doc. No. 4.)

s/Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 29th day of December, 2011.